

**CITY OF SEABROOK
RESOLUTION NO. 2016-22**

**ACCEPTANCE OF A 10' UTILITY EASEMENT
FROM JOSEPH A. SHUEY
OUT OF LOTS 8 & 9, BLOCK 19, MORRISTOWN
FOR TODVILLE SEWER LINE REPAIR**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS, DETERMINING THAT EASEMENTS ARE NECESSARY FOR THE "TODVILLE ROAD SEWER LINE REPAIR" PUBLIC IMPROVEMENTS PROJECT; APPROVING THE ACCEPTANCE OF SAID 10' UTILITY EASEMENT FROM JOSEPH A. SHUEY, PROPERTY OWNER OF A 0.0172 ACRE TRACT OF LAND SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT 52, HARRIS COUNTY, TEXAS, OUT OF LOTS 8 & 9, BLOCK 19, MORRISTOWN, OF THE MAP OF SEABROOK, AS MORE PARTICULARLY DESCRIBED HEREIN

WHEREAS, the City Council of the City of Seabrook finds and determines that public convenience and necessity for the "Todville Road Sewer Line Repair" ("Project") require that the City acquire easements over, across and under a certain property being the northwesterly ten (10) feet of south ½ of Lot 8 and the northwesterly ten (10) feet of Lot 9, Block 19, Morristown, a subdivision of record in Volume 1, Page 34 of the Harris County Map Records and being out of that certain tract conveyed to Joseph A. Shuey by deed recorded under Harris County Clerks File Number Y360942 and redefined by a Boundary Line Agreement recorded under Harris County Clerks File Number 20070478309, as described on the attached Survey and Easement, attached hereto and incorporated by reference ("Utility Easement"); and

WHEREAS, the City of Seabrook, through its duly authorized representatives, has been able to agree with owner Joseph A. Shuey for acceptance of such Utility Easement for the herein stated purpose and Joseph A. Shuey has agreed to donate and grant the subject Utility Easement for dedication to the City of Seabrook upon terms contained in the said Utility Easement; and

WHEREAS, the City of Seabrook has been able to agree with such owner as to the terms for donation of the Utility Easement and dedication related thereto to the City; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

Section 1. The facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

Section 2. The City Council of the City of Seabrook finds that bona fide negotiations have been conducted by the authorized representatives of the City for the acquisition of the subject Utility Easement, attached hereto as Exhibit A, and incorporated by reference, over the therein described tract of land, and that said negotiations were successful, and that donation and grant of the Utility Easement for dedication to the City should be accepted.


Section 3. The Mayor is authorized to execute any documentation necessary to accept, document, and record said Utility Easement.

PASSED, APPROVED AND RESOLVED THIS 18TH DAY OF OCTOBER, 2016.



Glenn Royal, Mayor

ATTEST:



Robin Hicks, TMCA
City Secretary



UTILITY EASEMENT

STATE OF TEXAS }

COUNTRY OF HARRIS }

I, Joseph A. Shuey, owner of 10' Utility Easement out of Lots 8 & 9, Block 19, Morristown, City of Seabrook, Harris County, Texas, a subdivision of record in Volume 1, Page 34 of Harris County Map of Records, do hereby convey an unobstructed easement to the city of Seabrook, Texas for utilities/easement. The 10 foot wide Utility Easement containing 0.0172 acres (750 square feet) of land situated in the Ritson Morris Survey, Abstract Number 52, City of Seabrook, Harris County, Texas; being the northwesterly ten (10) feet of the south ½ of Lot 8 and the northwesterly ten (10) feet of Lot 9, Block 19 of Morristown, a subdivision of record in Volume 1, Page 34 of the Harris County Map Records and being out of that certain tract conveyed to Joseph A. Shuey by deed recorded under Harris County Clerks File Number Y360942 and redefined by a Boundary Line Agreement recorded under Harris County Clerks File Number 20070478309, as described on the attached Survey and Exhibit A of 10' Utility Easement.

Witness my (or our) hand in Seabrook, Harris County, Texas of this 28 day of SEPTEMBER, 2016.

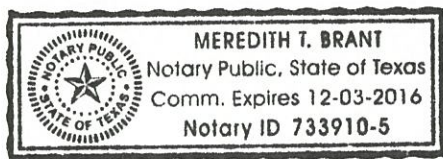

Joseph A. Shuey, Property Owner

STATE OF TEXAS }

COUNTRY OF HARRIS }

Before me, the undersigned authority on this day personally appeared Joseph A. Shuey known to me to be persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out.

Given under my hand and seal of office, this 28 day of September, 2016.



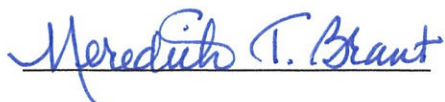

Notary Public in and for
Harris County, Texas

EXHIBIT A

Page 1 of 1
September 28, 2016

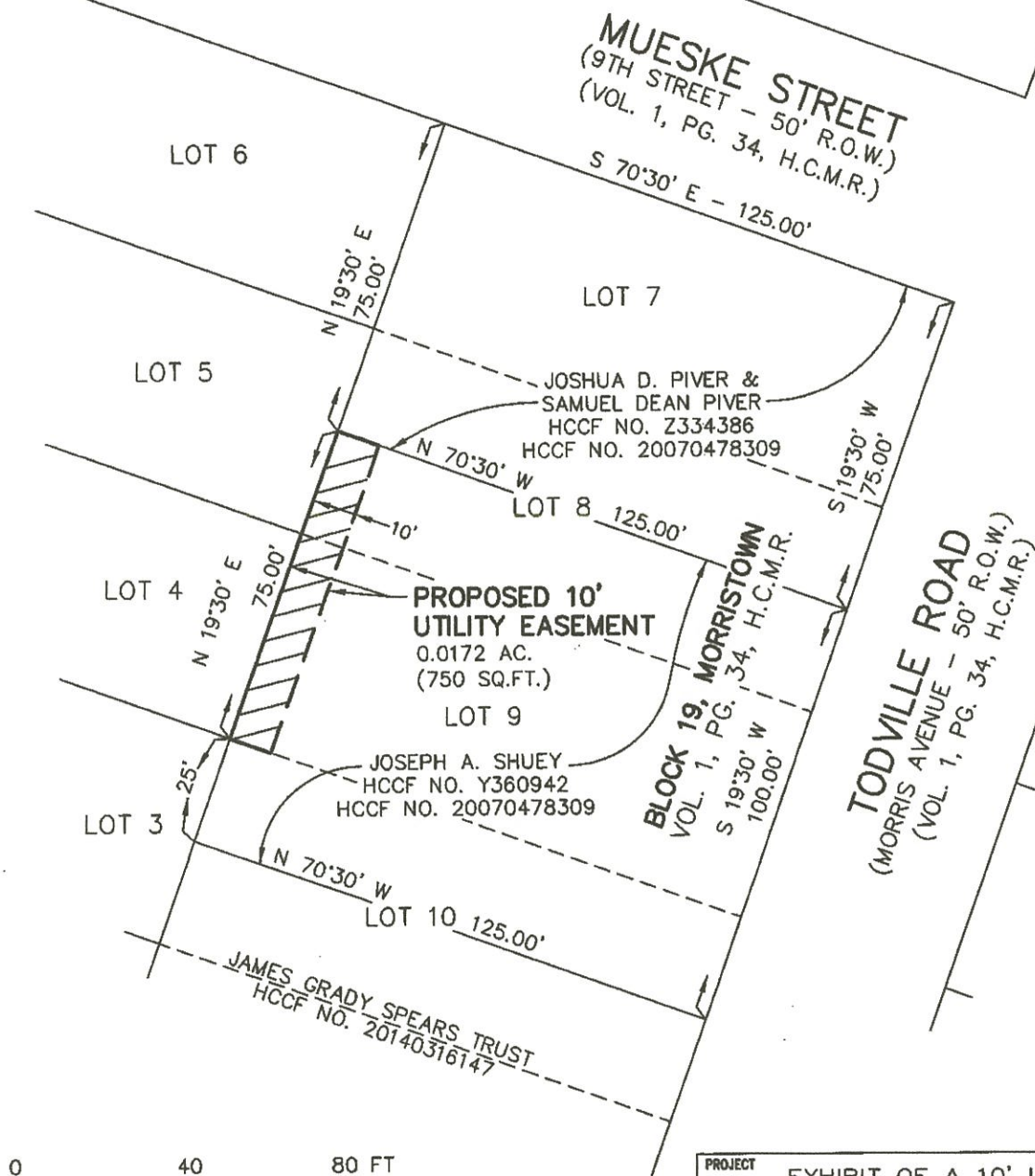
LEGAL DESCRIPTION
10' UTILITY EASEMENT OUT OF LOTS 8 AND 9,
BLOCK 19, MORRISTOWN
CITY OF SEABROOK, HARRIS COUNTY, TEXAS

BEING a 10 foot wide Utility Easement containing 0.0172 acre (750 square feet) of land situated in the Ritson Morris Survey, Abstract Number 52, City of Seabrook, Harris County, Texas; being the northwesterly ten (10) feet of the south 1/2 of Lot 8 and the northwesterly ten (10) feet of Lot 9, Block 19 of Morristown, a subdivision of record in Volume 1, Page 34 of the Harris County Map Records and being out of that certain tract conveyed to Joseph A. Shuey by deed recorded under Harris County Clerks file Number Y360942 and redefined by a Boundary Line Agreement recorded under Harris County Clerks File Number 20070478309.

This description is referenced to an "EXHIBIT OF A 10' UTILITY EASEMENT" prepared by Cobb Fendley & Associates, Inc. dated September 28, 2016.

Prepared by:
Cobb Fendley & Associates, Inc.
1920 Country Place Parkway, Suite 310
Pearland, Texas 77584
TBPLS Firm Registration No. 100467

EXHIBIT



NOTES:

1. THIS EXHIBIT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. EASEMENTS AND/OR RESTRICTIONS MAY EXIST THAT ARE NOT SHOWN HEREON.
2. BEARINGS SHOWN HEREON ARE REFERENCED TO THE PLAT OF EDGEWATER TOWNHOMES, VOL. 302, PG. 132, H.C.M.R..
3. THIS EXHIBIT IS REFERENCED TO A DESCRIPTION PREPARED BY COBB, FENDLEY & ASSOCIATES, INC. DATED SEPTEMBER 28, 2016.

PROJECT

EXHIBIT OF A 10' UTILITY EASEMENT
IN THE SOUTH 1/2 OF LOT 8 & LOT 9,
BLOCK 19, MORRISTOWN
VOLUME 1, PAGE 34,
HARRIS COUNTY MAP RECORDS
SEABROOK, HARRIS COUNTY, TEXAS

OWNER

JOSEPH A. SHUEY

CobbFendley

T.B.P.L.S. Firm Registration No. 100467
1920 Country Place Pkwy, Suite 310 Pearland, Texas 77584
281.993.4952 | fax 281.993.8086 | www.cobb fendley.com

DRAWN BY: WEM	DATE: 09/28/16	SHEET 1	OF 1	REVISED
DESIGNED BY: WEM	SCALE: 1"=40'	F.B. NO. LL	PROJECT NO. 1112-001-00	
	CHK'D BY: WEM			